

103D CONGRESS
1ST SESSION

S. 260

To provide Indian education assistance to carry out the purposes of title IV of the Arizona-Idaho Conservation Act of 1988, Public Law 100–696, to provide for reimbursement to the Treasury by certain private parties, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 5), 1993

Mr. McCAIN introduced the following bill; which was read twice and referred to the Select Committee on Indian Affairs

A BILL

To provide Indian education assistance to carry out the purposes of title IV of the Arizona-Idaho Conservation Act of 1988, Public Law 100–696, to provide for reimbursement to the Treasury by certain private parties, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INDIAN EDUCATION ASSISTANCE TRUST**

4 **FUNDS.**

5 (a) ESTABLISHMENT.—

6 (1) ARIZONA FUND.—

1 (A) IN GENERAL.—There is established in
2 the Treasury of the United States a fund to be
3 known as the Interim Arizona InterTribal Edu-
4 cation Assistance Trust Fund subject to the
5 same conditions as described for the Arizona
6 InterTribal Trust Fund in subsections (c) and
7 (d) of section 405 of the Arizona-Idaho Con-
8 servation Act of 1988, Public Law 100–696
9 (hereinafter “the Act”).

10 (B) AMOUNTS IN FUND.—The fund estab-
11 lished in subparagraph (A) shall consist of such
12 amounts as are appropriated and allocated to
13 the fund pursuant to subsection (b).

14 (2) NAVAJO FUND.—

15 (A) IN GENERAL.—There is established in
16 the Treasury of the United States a fund to be
17 known as the Interim Navajo Education Assist-
18 ance Trust Fund subject to the same conditions
19 as described for the Navajo Trust Fund in sub-
20 sections (c) and (d) of section 405 of the Act.

21 (B) AMOUNTS IN FUND.—The fund estab-
22 lished in subparagraph (A) shall consist of such
23 amounts as are appropriated and allocated to
24 the fund pursuant to subsection (b).

25 (b) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated an aggregate of \$34,900,000 to the
3 funds established in subsection (a) to be allocated in
4 accordance with paragraph (2). In no case shall
5 moneys appropriated pursuant to this authorization
6 diminish or otherwise reduce any Indian account.

7 (2) ALLOCATION.—

8 (A) ARIZONA FUND.—Sums appropriated
9 pursuant to paragraph (1) shall be allocated to
10 the fund established in subsection (a)(1) in the
11 same manner as sums are allocated to the Ari-
12 zona InterTribal Trust Fund pursuant to sec-
13 tion 405 of the Act.

14 (B) NAVAJO FUND.—Sums appropriated
15 pursuant to paragraph (1) shall be allocated to
16 the fund established in subsection (a)(2) in the
17 same manner as sums are allocated to the Nav-
18 ajo Trust Fund pursuant to section 405 of such
19 Act.

20 (c) REIMBURSEMENT.—

21 (1) IN GENERAL.—

22 (A) FULL APPROPRIATION.—Notwith-
23 standing title IV of such Act, if the full amount
24 specified in subsection (b)(1) is appropriated
25 and allocated in accordance with subsection (b)

1 prior to the date on which the first annual pay-
2 ment is required to be made by Collier to the
3 Arizona InterTribal Trust Fund and the Navajo
4 Trust Fund under title IV of such Act, and the
5 Trust Fund Payment Agreement required
6 under section 403 of such Act, the Secretary of
7 the Interior shall direct Collier to pay to the
8 Secretary of the Treasury for deposit into the
9 general fund of the Treasury any amounts oth-
10 erwise due and payable to the United States
11 under the Trust Fund Payment Agreement, in
12 lieu of and in full satisfaction of payment to the
13 United States by Collier for deposit into the Ar-
14 izona InterTribal Trust Fund and the Navajo
15 Trust Fund pursuant to title IV of such Act
16 and such Trust Fund Payment Agreement.

17 (B) PARTIAL APPROPRIATION.—Notwith-
18 standing title IV of such Act, if less than the
19 amount specified in subsection (b)(1) is appro-
20 priated and allocated in accordance with sub-
21 section (b) prior to the date described in sub-
22 paragraph (A), at such time as Collier is re-
23 quired to make any payment under the Trust
24 Fund Payment Agreement described under sub-
25 paragraph (A), the Secretary of the Interior

1 shall direct Collier to pay, in full satisfaction
2 and in lieu of such payment: (i) to the Sec-
3 retary of the Treasury for deposit into the gen-
4 eral fund of the Treasury, an amount which
5 bears the same proportion to the total amount
6 of such payment as the total of the sums appro-
7 priated pursuant to subsection (b) bears to
8 \$34,900,000, and (ii) to the Secretary of the
9 Interior for deposit into the Arizona InterTribal
10 Trust Fund and Navajo Trust Fund, in accord-
11 ance with section 405 of the Act, the remainder
12 of each such payment.

13 (2) DEFINITION.—As used in this subsection,
14 the term “Collier” has the meaning provided under
15 section 401(5) of such Act.

16 (d) TERMINATION.—

17 (1) IN GENERAL.—The funds established in
18 subsection (a) shall terminate on the date of the
19 first Collier payment described in subsection
20 (c)(1)(A).

21 (2) TRANSFER OF REMAINING SUMS.—Upon
22 termination under paragraph (1)—

23 (A) The Secretary of the Treasury shall
24 transfer any sums remaining in the fund estab-
25 lished in subsection (a)(1) to the Arizona Inter-

1 Tribal Trust Fund established under section
2 405(a) of such Act; and

3 (B) The Secretary of the Treasury shall
4 transfer any sums remaining in the fund estab-
5 lished in subsection (a)(2) to the Navajo Trust
6 Fund established under section 405(a) of such
7 Act.

8 (e) No funds appropriated under this Act shall be
9 available to the InterTribal Council of Arizona (ITCA)
10 and Navajo Tribe (as defined in section 401 of the Act)
11 or be deposited into the Interim Trust Funds established
12 by section 1 of this Act unless the ITCA and Navajo Tribe
13 provide written consent to the method of payment estab-
14 lished in this Act in lieu of the method of payment pro-
15 vided in the Act and the Trust Fund Payment Agreement
16 authorized by the Act.

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